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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/605,065

**Applicant(s)**

COLVIN, DAVID S.

**Examiner**

Christopher A. Revak

**Art Unit**

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-97 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-97 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/5/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. Applicant's arguments with respect to claims 1-94 have been considered but are moot in view of the new grounds of rejection.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ananda, U.S. Patent 5,495,411 in view of Xu et al, U.S. Patent 6,915,425.

As per claim 1, it is disclosed by Ananda of a method for data representing digital content; and at least one identifier associated with the software prior to distribution of the software, the at least one identifier being detectable by an authorized representative to request authentication of the software and selective exchange of information with the remote authorized representative (col. 3, lines 11-15 & 21-28; col. 4, lines 18-28; col. 6, lines 57-63; and col. 10, lines 4-15). The teachings of Ananda fail to disclose that the identifier being detectable by a resident authorized representative to request

authentication of the software. Xu et al teaches of a least one identifier associated with the software prior to distribution of the software, the identifier being detectable by a resident authorized representative to request authentication of the software (col. 2, lines 23-24; col. 3, lines 11-19; and col. 5, lines 3-38). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to apply localized validation of licensed software. The teachings of Xu et al disclose of motivation for applying localized validation by reciting of the need to protect digital information and management of digital rights in an offline environment (col. 2, lines 15-19). It is obvious that the teachings of Ananda would have benefited from validation of licensed software by using the authorized representative installed in or on the user's device whereby the authorized representative would then be able to valid the use of licensed software offline on an enduser's system as taught by Xu et al.

As per claim 2, it is taught by Ananda wherein the software includes instructions for the authorized representative to contact a remote authorized representative at predetermined intervals (col. 4, line 61 through col. 5, line 10). The teachings of Xu et al are relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 3, Ananda discloses wherein the exchange of information includes information selected from a group consisting of updates, upgrades, patches, marketing

information, promotional information, quality assurance information, network monitoring and metering information, and error and usage information (col. 20, lines 53-62).

As per claim 4, Ananda teaches wherein the exchange of information includes instructions for dynamic authorized representative changes (col. 4, line 61 through col. 5, line 10).

As per claim 5, it is disclosed by Ananda wherein the exchange of information includes instructions for repeating the step of authentication (col. 4, line 61 through col. 5, line 10).

As per claim 6, it is taught by Ananda wherein the digital content is selected from the group consisting of data representing music, data representing video, instructions executable by a computer, code for an application program, code for an operating system component, code for a game, data representing a movie, data representing graphics, data representing watermarked works, data representing a magazine, and data representing a book (col. 1, lines 17-19).

As per claim 7, Ananda discloses wherein the at least one identifier is hidden from the user (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 8, Ananda teaches wherein the at least one identifier is tamper resistant to the user (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 9, it is disclosed by Ananda wherein the at least one identifier is embedded within a file of at least one component of the software (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 10, it is taught by Ananda wherein the at least one identifier is a binary code (col. 6, lines 57-63).

As per claim 11, Ananda discloses wherein the at least one identifier is encrypted (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 12, Ananda teaches wherein the software is electronically distributed (col. 3, lines 19-32).

As per claim 13, it is disclosed by Ananda wherein the software is distributed on the computer readable storage medium (col. 3, lines 57-63 and col. 9, lines 35-36).

As per claim 14, it is taught by Ananda of instructions for determining whether an attempted access to the software is authorized based on detection of the at least one identifier (col. 3, lines 11-15).

As per claim 15, Ananda discloses of instructions for determining whether the attempted access to the software is authorized based on registration information associated with the software (col. 3, lines 11-15 & 21-28).

As per claim 16, Ananda teaches wherein the instructions for determining comprise instructions for determining whether the attempted access to the software is authorized based on registration information associated with the software and registration information associated with a user device (col. 3, lines 11-15 & 21-28).

As per claim 17, it is disclosed by Ananda of instructions for communicating registration information to an authorized representative of the software; instructions for generating at least one authentication code based on the registration information; and

instructions for associating the authentication code with the software (col. 3, lines 11-15 & 21-28).

As per claim 18, it is taught by Xu et al wherein authorized representative functions are implemented by a user device (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 19, Xu et al discloses wherein authorized representative functions are implemented by software (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claims 20,21,46,47, and 89, the teachings of Xu et al are relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al. The teachings of Xu et al disclose of the authorized representative entity being software, but fail to disclose of the authorized representative entity comprises a hardware device. The examiner hereby takes official notice that to implement a hardware device being dedicated to a specific function is well known. It is obvious to one of ordinary skill in the art that hardware device can be developed which are designed solely for a particular purposed and are dedicated towards executing a certain task and these devices can take the form of computer chip, hardware device integral with a CPU, a PC card, or a microprocessor.

As per claim 22, it is taught by Ananda wherein the at least one identifier is included in a file name for at least one component of the software (col. 6, lines 57-65).

As per claim 23, Ananda discloses wherein the at least one identifier is selected from the group consisting of a filename, a filename prefix, a filename suffix, a filename extension, a filename extension prefix, and a filename extension suffix (col. 6, lines 57-65).

As per claim 24, Ananda teaches wherein the identifier is tamper resistant to the user (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 25, it is disclosed by Ananda wherein the at least one identifier is hidden to the user (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claims 26,55,and 90, Ananda teaches of a method for representing software readable by a computer, the software including instructions reducing unauthorized use and selectively exchanging information, the computer readable storage medium comprising software including data representing digital content; an identifier associated with the software indicating that protection from unauthorized use is desired; an identifier associated with the software indicating that selectively exchanging information is requested; instructions for communicating with an authorized representative entity to determine whether a user device attempting to access the software is authorized to access the software; and instructions for controlling access to the software based on whether the user device is authorized (col. 3, lines 11-15 & 21-28; col. 4, lines 18-28; col. 6, lines 57-63; and col. 10, lines 4-15). The teachings of Ananda fail to disclose that the identifier being detectable by a resident authorized representative to request authentication of the software. Xu et al teaches of a least one identifier associated with the software prior to distribution of the software, the identifier



being detectable by a resident authorized representative to request authentication of the software (col. 2, lines 23-24; col. 3, lines 11-19; and col. 5, lines 3-38). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to apply localized validation of licensed software. The teachings of Xu et al disclose of motivation for applying localized validation by reciting of the need to protect digital information and management of digital rights in an offline environment (col. 2, lines 15-19). It is obvious that the teachings of Ananda would have benefited from validation of licensed software by using the authorized representative installed in or on the user's device whereby the authorized representative would then be able to valid the use of licensed software offline on an enduser's system as taught by Xu et al.

As per claim 27, Ananda discloses wherein at least one of the identifiers is an activation code that must be entered by the user prior to transferring the software to the user system (col. 10, lines 4-15).

As per claim 28, Ananda teaches wherein the instructions for selectively exchanging information include instructions to the resident authorized administrator for contacting an authorized representative at predetermined intervals (col. 4, line 61 through col. 5, line 10). The teachings of Xu et al are relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 29, it is disclosed by Ananda wherein the exchange of information is selected from a group consisting of updates, upgrades, patches, marketing information, promotional information, quality assurance information, network monitoring and metering information, and error and usage information (col. 20, lines 53-62).

As per claim 30, it is taught by Ananda wherein the instructions for selectively exchanging information include instructions for dynamic authorized representative changes (col. 4, line 61 through col. 5, line 10).

As per claim 31, Ananda discloses wherein the instructions for selectively exchanging information include instructions for repeating the step of authentication (col. 4, line 61 through col. 5, line 10).

As per claim 32, Ananda teaches wherein the digital content is selected from the group consisting of data representing music, data representing video, instructions executable by a computer, code for an application program, code for an operating system, code for a game, data representing a movie, data representing graphics, data representing watermarked works, data representing a magazine, and data representing a book (col. 1, lines 17-19).

As per claim 33, it is disclosed by Ananda wherein the at least one identifier is hidden from the user (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 34, it is taught by Ananda wherein the at least one identifier is tamper resistant to the user (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 35, Ananda discloses wherein the at least one identifier is embedded within a file of at least one component of the software (col. 6, lines 57-65).

As per claim 36, Ananda teaches wherein the at least one identifier is a binary code (col. 6, lines 57-63).

As per claim 37, it is disclosed by Ananda wherein the at least one identifier is encrypted (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 38, it is taught by Ananda wherein the step of distributing the software comprises electronically distributing the software (col. 3, lines 57-63 and col. 9, lines 35-36).

As per claim 39, Ananda discloses wherein the software is electronically distributed (col. 3, lines 57-63 and col. 9, lines 35-36).

As per claim 40, Ananda teaches of instructions for determining whether an attempted access to the software is authorized based on detection of the at least one identifier (col. 3, lines 11-15).

As per claim 41, it is disclosed by Ananda wherein the instructions for determining comprise instructions for determining whether the attempted access to the software is authorized based on registration information associated with the software (col. 3, lines 21-29).

As per claim 42, it is taught by Ananda wherein the instructions for determining comprise instructions for determining whether the attempted access to the software is authorized based on registration information associated with the software and registration information associated with a user device (col. 3, lines 21-29).

As per claim 43, Ananda discloses of instructions for communicating registration information to an authorized representative of the software; instructions for generating at least one authentication code based on the registration information; and instructions for associating the authentication code with the software (col. 11, lines 9-13).

As per claim 44, Ananda teaches wherein authorized representative functions are implemented by a user device (col. 10, lines 4-15 and col. 11, lines 61-65).

As per claim 45, it is disclosed by Xu et al are relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 48, Ananda teaches wherein the at least one identifier is included in a file name for at least one component of the software (col. 10, lines 4-15 and col. 11, lines 61-65).

As per claim 49, it is disclosed by Ananda wherein the identifier is selected from the group consisting of a filename, a filename prefix, filename suffix, filename extension, filename extension prefix, and filename extension suffix (col. 6, lines 57-63).

As per claim 50, it is taught by Ananda wherein the identifier is tamper resistant to the user (col. 6, lines 57-63).

As per claim 51, Ananda discloses wherein the at least one identifier is hidden to the user (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 52, Ananda discloses of detecting at least one identifier corresponding to a request to selectively exchange information; and selectively exchanging information with a remote authorized representative (col. 3, lines 11-15 & 21-28).

As per claim 53, it is taught by Ananda wherein the step of selectively exchanging comprises transferring information to the authorized representative (col. 3, lines 11-15 & 21-28). Xu et al is relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 54, it is disclosed by Ananda wherein the step of selectively exchanging comprises exchanging registration information (col. 3, lines 11-15 & 21-28).

As per claim 56, it is disclosed by Ananda wherein selectively exchanging information includes instructions to the authorized administrator for contacting the remote authorized representative at predetermined intervals (col. 4, line 61 through col. 5, line 10). Xu et al is relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 57, it is taught by Ananda wherein the exchange of information is selected from a group consisting of updates, upgrades, patches, marketing information, promotional information, quality assurance information, network monitoring and metering information, and error and usage information (col. 20, lines 53-62).

As per claim 58, Ananda discloses wherein exchanging information includes instructions for dynamic authorized representative changes (col. 4, line 61 through col. 5, line 10).

As per claim 59, Ananda teaches wherein exchanging information includes instructions for repeating the step of authentication (col. 4, line 61 through col. 5, line 10).

As per claim 60, it is disclosed by Ananda of instructions for determining whether the user device is authorized to access the software using the remotely located authorized representative entity (col. 10, lines 4-15 and col. 11, lines 61-65). Xu et al is relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 61, Xu et al is relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity that is executed by a computer chip (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 62, Xu et al is relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity that is executed by a microprocessor (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 63, Ananda teaches wherein the program instructions comprise an operating system component (col. 6, lines 57-63).

As per claim 64, it is disclosed by Ananda wherein the program instructions comprise an application program (col. 6, lines 57-63).

As per claim 65, it is taught by Ananda wherein the program instructions comprise a driver for a secondary device (col. 10, lines 4-15).

As per claim 66, Ananda discloses wherein the instructions for determining whether the user device is authorized comprise instructions for comparing registration information associated with the user device to registration information associated with the software (col. 3, lines 16-49).

As per claim 67, Ananda teaches wherein the registration information associated with the software is embedded within an authentication code (col. 3, lines 24-28).

As per claim 68, it is disclosed by Ananda wherein the registration information associated with the software is encrypted (col. 11, line 61 through col. 12, line 14).

As per claim 69, it is taught by Ananda wherein the registration information includes hardware information (col. 3, lines 11-15).

As per claim 70, Ananda discloses wherein the registration information includes hardware information associated with a unique user device (col. 3, lines 11-15).

As per claim 71, Ananda teaches wherein the hardware information includes a serial number (col. 8, lines 18-23).

As per claim 72, it is disclosed by Ananda wherein the registration information includes hardware information associated with a group of user devices (col. 3, lines 11-15).

As per claim 73, it is taught by Ananda wherein the authorized representative entity is installed by a manufacturer of the user device (col. 9, lines 35-36).

As per claim 74, Ananda discloses wherein the authorized representative entity is installed from a computer readable storage medium (col. 6, lines 57-63 and col. 9, lines 35-36).

As per claim 75, Xu et al is relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 76, Xu et al is relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity which is downloaded (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.



As per claim 77, Xu et al is relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights by a resident authorized representative entity which is downloaded across the network (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 78, Ananda discloses wherein the instructions for controlling access comprise instructions for preventing the software from being transferred to a second user device (col. 10, lines 4-15).

As per claim 79, Ananda teaches wherein the instructions for controlling access comprise instructions for preventing the software from being transferred to a user device if at least one authorized representative is not present (col. 10, lines 8-15).

As per claim 80, it is disclosed by Ananda wherein the step of controlling access comprises preventing the software from being installed on a user device if at least one authorized representative is not present (col. 10, lines 8-15).

As per claim 81, it is taught by Ananda wherein the step of controlling access comprises preventing the software from being executed by the user device (col. 10, lines 8-15).

As per claim 82, Ananda discloses wherein the step of controlling access comprises providing limited access to the software (col. 10, lines 8-15).

As per claim 83, Ananda teaches wherein the software comprises digital content (col. 1, lines 17-19).

As per claim 84, it is disclosed by Ananda wherein the software is selected from the group consisting of data representing music, data representing video, instructions executable by a computer, code for an application program, code for an operating system, code for a game, data representing a movie, data representing graphics, data representing watermarked works, data representing a magazine, and data representing a book (col. 1, lines 17-19).

As per claim 85, it is taught by Ananda wherein the software comprises instructions for generating at least one authentication code based on registration information associated with the user device (col. 3, lines 11-15 & 21-28).

As per claim 86, Ananda discloses wherein the software comprises instructions for encrypting the authentication code (col. 9, lines 25-34 and col. 10, line 63 through col. 11, line 8).

As per claim 88, it is disclosed by Ananda wherein at least one identifier associated with the software is contained within a filename for the software (col. 6, lines 57-65).

As per claim 90, Ananda discloses wherein the instructions for communicating with the authorized representative entity comprise instructions for communicating with at least one software module (col. 3, lines 11-15 & 21-28). The teachings of Xu et al are relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 91, The teachings of Xu et al are relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which includes managing the related content rights (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 92, it is disclosed by Ananda of instructions for generating an authentication code based on registration information associated with the user device; and instructions for associating the authentication code with the software (col. 3, lines 11-15 & 21-28).

As per claim 93, it is taught by Ananda wherein the instructions for communicating comprise instructions for generating an authentication code based on registration information associated with the user device; and instructions for comparing the authentication code with a previously generated authentication code associated with the software to determine if the user device is authorized (col. 3, lines 11-15 & 21-28).

As per claim 94, Ananda discloses wherein the instructions for comparing the authentication code comprise instructions for determining if at least a portion of system information associated with the user device matches system information encoded within the authentication code associated with the software (col. 3, lines 11-15 & 21-28).

As per claim 95, Ananda teaches wherein the registration information includes hardware-specific information (col. 3, lines 11-15 and col. 9, lines 5-6).

As per claim 96, The teachings of Xu et al are relied upon for disclosing of the permitting offline (non-continuous connection) playback of digital content files which

includes managing the related content rights (col. 2, lines 23-24), please refer above for the motivation of applying the aspect of offline validation as is disclosed by Xu et al.

As per claim 97, it is taught by Ananda wherein the digital content is selected from the group consisting of data representing music, data representing video, instructions executable by a computer, code for an application program, code for an operating system, code for a game, data representing a movie, data representing graphics, data representing watermarked works, data representing a magazine, and data representing a book (col. 1, lines 17-19).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher A. Revak/  
Primary Examiner, Art Unit 2131